

S/N 10/798.149
Reply to Office Action of May 5, 2006

RECEIVED
CENTRAL FAX CENTER
JUL 26 2006

REMARKS

Favorable reconsideration of this application is requested. Claim 1 has been amended editorially, as supported for example at pages 8-9 of the specification and Fig. 4.

Claims 1-13 were rejected as obvious over Arai in view of Tsuboi or Murata. Applicants respectfully traverse this rejection.

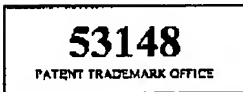
Arai teaches a conventional resin battery case for a nickel metal hydride battery. Such a product corresponds to the comparative sample 1 discussed in the present specification. See pages 11-13. As seen in Table 1 on page 13 of the present specification, such a product suffered from a decrease in discharge reserve over time and thus deteriorated upon storage. The samples according to the present invention, on the other hand, showed stability.

Neither Tsuboi nor Murata remedies the deficiencies of Arai noted above. Tsuboi discloses a battery having a metal case that is covered with an outer resin tube to provide insulation. The terminal portions of the electrodes naturally are left uncovered. Thus, Tsuboi teaches that the entire case should have metal, and suggests no reason for leaving a second portion where no metal would be present in Arai. Similarly, Murata teaches a battery case formed of a laminate that includes resin and non-porous metal layers. Again, there is no suggestion for leaving a second portion where no metal is present even if the Murata reference is suitable for combination with Arai.

Note further that comparative sample 2 of the present specification includes a resin case whose surface was coated with an evaporated aluminum layer. Thus, this comparative sample is analogous to Tsuboi and Murata. Table 1 shows that comparative sample 2 showed an undesirable increase in discharge reserve over time and thus deteriorated upon storage. Again, as noted above the samples according the present invention showed stability. Nothing in the art of record provides any reason to expect that such an effect could be achieved.

S/N 10/798,149
Reply to Office Action of May 5, 2006

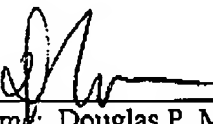
In view of the above, Applicant respectfully requests that a timely Notice of Allowance be issued on this case. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.



Respectfully submitted,

Hamre, Schumann,
Mueller & Larson, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
Phone: 612-455-3800

Date: July 26, 2006

By 
Name: Douglas P. Mueller
Reg. No. 30,300
DPM